THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19959 OF 2005

Dated 16th September 2005

Between:

India Christian Mission Schools

West Godavari District, rep. by its Correspondent.

…Petitioner

And

The District Educational Officer,

West Godavari District, Eluru & others

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19959 OF 2005

O R D E R:

The petitioner feels aggrieved by the proceedings, dated 30.5.2005, issued by the District Educational Officer, the first respondent herein, appointing the Deputy Educational Officer, Deputy Inspectors of Schools and Mandal Educational Officers, at various places in West Godavari District, to process the salary bills of the respective schools, indicated in the order. Petitioner states that he is the approved correspondent for all these institutions, and as long as the same is in force, it is not open to the first respondent to deprive the petitioner of the said functions. It is also his case that the impugned proceedings have the effect of virtually changing the recognition of correspondentship, and the second respondent alone is the competent authority, for that purpose. An appeal is said to have been preferred to the third respondent, against the impugned order.

Heard the learned counsel for the petitioner and learned Government Pleader for School Education.

It is rather difficult to treat the impugned order, as the one directing change of correspondentship. The arrangement made therein, is only to the effect of enabling the officials mentioned therein, to process the salary bills. The necessity for resorting to this arose, on account of the complaint received from the Chairman of Indian Christian Mission, Eluru. Whether such step was warranted or not, cannot be adjudicated by this Court, at this stage, particularly when the petitioner had already preferred an appeal, before the third respondent. Inasmuch as the government funds are being spent for paying the salaries of the 14 schools, referred to in the order, the third respondent can call for the records, and ensure that the schools are run strictly, in accordance with the provisions of A.P. Education Act, and the Rules made thereunder, and that the public funds are not misutilized.

Hence, the writ petition is disposed of, directing the third respondent to pass appropriate orders in the appeal said to have been preferred by the petitioner, within a period of two months, from today. It shall be open to the petitioner to enclose a fresh copy of appeal, along with the copy of this order, and submit it before the third respondent. There shall be no order as to costs.

16th September 2005

PAN